

**KAPLAN FOX & KILSHEIMER LLP**

Laurence D. King (SBN 206423)

Matthew B. George (SBN 239322)

Blair E. Reed (SBN 316791)

1999 Harrison Street, Suite 1560

Oakland, CA 94612

Telephone: 415-772-4700

Facsimile: 415-772-4707

Email: *lking@kaplanfox.com*

*mgeorge@kaplanfox.com*

*breed@kaplanfox.com*

**STUEVE SIEGEL HANSON LLP**

Norman E. Siegel (*pro hac vice to be filed*)

J. Austin Moore (*pro hac vice to be filed*)

Brandi S. Spates (*pro hac vice to be filed*)

460 Nichols Road, Suite 200

Kansas City, Missouri 64112

Telephone: 816-714-7100

Email: *siegel@stuevesiegel.com*

*moore@stuevesiegel.com*

*spates@stuevesiegel.com*

*Attorneys for Plaintiffs and the Putative Class*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CLAIRE PADDY and NEIL HAVEN, on behalf  
of themselves and all others similarly situated,

Plaintiffs,

v.

23ANDME, INC.,

Defendant.

Case No. 4:23-cv-06698-KAW

**ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES SHOULD  
BE RELATED PURSUANT TO CIVIL  
LOCAL RULES 3-12 AND 7-11**

1 Plaintiffs Claire Paddy and Neil Haven (“*Paddy* Plaintiffs”) submit this administrative motion,  
 2 pursuant to Civil Local Rules 3-12(b) and 7-11(a), to consider whether the above entitled action, *Paddy*,  
 3 *et al v. 23andMe, Inc.*, Case No. 4:23-cv-06698-KAW (the “*Paddy* Action”), which was filed on  
 4 December 29, 2023 and is currently assigned to Magistrate Judge Kandis A. Westmore, should be related  
 5 to numerous other similar pending actions in this District. Specifically, the *Paddy* Plaintiffs move the  
 6 Court to consider whether the *Paddy* Action should be related to *Santana, et al. v. 23andMe, Inc.*, Case  
 7 No. 3:23-cv-05147-EMC (N.D. Cal) (the “*Santana* Action”) filed on October 9, 2023. The *Santana*  
 8 Action is currently assigned to the Honorable Edward M. Chen. There are at least 20 other cases filed  
 9 in this District that have already been related to the *Santana* Action. *See* Case No. 3:23-cv-05147-EMC,  
 10 ECF Nos. 24 and 30 (collectively, the “23andMe Actions”). The *Paddy* Plaintiffs expect that additional  
 11 cases arising from 23andMe’s breach of personal and confidential information will ultimately be related  
 12 to the *Santana* Action as well.

13 Plaintiffs submit that the 23andMe Actions are related within the meaning of Civil Local Rule  
 14 3-12(a). Actions are related when (1) the actions substantially concern the same parties, property,  
 15 transaction or event; and (2) it appears likely that there will be an unduly burdensome duplication of  
 16 labor and expense or conflicting results if the cases are conducted before different judicial officers. Civ.  
 17 L.R. 3-12(a). The *Paddy*, *Santana*, and other 23andMe Actions involve the same Defendant and  
 18 substantially the same facts. *See* Civ. L.R. 3-12(a)(1). Specifically, Plaintiffs in all of the cases are  
 19 consumers that generally allege that their private personally identifiable information (“PHI”) and  
 20 personal genetic information (“PGI”) was stolen from 23andMe by unauthorized persons in early  
 21 October 2023 (the “Data Breach”). Furthermore, all of the cases are putative class actions seeking to  
 22 represent substantially similar, if not identical, putative classes, and seek damages and other relief. As  
 23 such, each action will require adjudication of substantially the same questions of law and fact. The  
 24 Court has set an initial case management conference in the 23andMe Actions for January 23, 2024.

25 Given these similarities, it “appears likely that there will be an unduly burdensome duplication  
 26 of labor and expenses of conflicting results if the cases are conducted before different Judges.” Civ.  
 27 L.R. 3-12(a)(2). Indeed, having these actions prosecuted separately would create an undue burden on  
 28

1 the Court and parties and cause duplication of labor and expense, as well as lead to potentially conflicting  
2 results. Relating these actions will conserve judicial resources and ensure consistent results.

3 Accordingly, *Paddy* Plaintiffs respectfully request that the *Paddy* Action be deemed related to  
4 the *Santana* Action and other 23andMe Actions pursuant to Local Rule 3-12(a).

5 Respectfully submitted,

6 DATED: January 4, 2024

**KAPLAN FOX & KILSHEIMER LLP**

7 By: /s/ Matthew B. George  
8 Matthew B. George

9 Laurence D. King (SBN 206423)  
10 Matthew B. George (SBN 239322)  
11 Blair E. Reed (SBN 316791)  
12 1999 Harrison Street, Suite 1560  
13 Oakland, CA 94612  
14 Telephone: 415-772-4700  
15 Facsimile: 415-772-4707  
16 Email: *lking@kaplanfox.com*  
*mgeorge@kaplanfox.com*  
*breed@kaplanfox.com*

**STUEVE SIEGEL HANSON LLP**

15 Norman E. Siegel (*pro hac vice to be filed*)  
16 J. Austin Moore (*pro hac vice to be filed*)  
17 Brandi S. Spates (*pro hac vice to be filed*)  
18 460 Nichols Road, Suite 200  
19 Kansas City, Missouri 64112  
20 Telephone: 816-714-7100  
21 Email: *siegel@stuevesiegel.com*  
*moore@stuevesiegel.com*  
*spates@stuevesiegel.com*

22 *Attorneys for Plaintiffs and the Proposed Class*